19 39

Department of Revenue

OFFICE of the Board of Revenue.

STATION Madras

Res. Mis. No.

(J. 143/39)

Dated 31-3-39

Pages in the file

(SUBJECT.)

Allowances - Taadik - (South Kanara) - Holiru [illegible] - Nalkur Vge. - Institution No. 686 - Harali Timayya Dev - Readmission and payment of arrears - Sanctioned.

Ref. A5.8485-38.

South Kanara Collector's Office,
Mangalore, 5th January 1939.

BOARD OF REVENUE
5 JAN 1939
MADRAS

From

Sri Diwan Bahadur M. V. Vellodi, B.A.,
Collector of South Kanara.

To

The Secretary, Board of Revenue,
Land Revenue & Settlement, Madras.

Sir,

Allowances - Tasdik - Udipi Taluk - Nalkur village - Institution No.686 - Marali Vinayaka Dev - Readmission and payment of arrears - Recommended -

Institution No.686 Marali Vinayaka Dev of Nalkur village Udipi Taluk has an annual tasdik of Rs.32/-. The allowance was paid under the beriz deduction system till fasli 1334 when the then trustee died. As no new trustee was appointed, the allowance remained unclaimed from fasli 1335. In 1935 (fasli 1345), new trustees were appointed by the Hindu Religious Endowments Board and they applied for the payment of the arrears; but, as the institution was reported to be in disrepair then, the claim was rejected and the allowance struck off under B.S.O. 67-1(7) in this office D.Dis.4445-35 dated 12.11.35. It was however, then ordered that the question of readmission would be considered after the building was restored to a good condition.

2. The trustees have since rebuilt the institution and now apply for readmission of the allowance and payment of the arrears. It is now reported that services are being regularly performed. I, therefore, recommend that the institution may be readmitted and the arrears of tasdik ordered to be paid from fasli 1345,- the year in which the present trustees first --- applied for payment after appointment by the Hindu Religious Endowments Board.

Allowances - Tasdik - (South Kanara)
Kolipi Vk. - Nalkur Vge. - Institution
No. 686 - Marati Venkataka Devi -
Readmission and payment
of arrears.

Read D. 143 from the Collr. of S. Kanara Dt 15-1-39 G.O.

Ref: D. No. 143/39-1 dated 20-2-39

Clause 7(ii) of para 1 of B.S.O. 67
lays down that arrears of allowance
should be paid only if the institution was in good order on
the services properly rendered
during the period for which the
allowance was kept undrawn.
The Collector recommends pay-
ment of arrears from Fasli 1345
but beyond saying that services
are being regularly performed
has nothing to say about the
conditions" in cl. (ii) of 7(ii) being
satisfied. The tahsildar's report
dated 7-11-35 would indicate
that the part of the temple where
worship is performed was
in disrepair and had to be

... 1935

~~2. The Collector's attention~~
~~is drawn to clause 7(ii) and he~~ (Para 19 B.S.O.M. 67)
2. The Collr.
is requested to state (1) from which year the petitioners have applied for payment of arrears, (2) from which year the condition in clause 7(ii) is satisfied and (3) if there has been uninterrupte Service, why arrears should not be given from an earlier year than Fasli 1345. His attentn is in this connectn invited to the petition of the trustees and in his D. Dis. 4445-35 dated 12-11-35 which is returned to him for reference and retur

(M) To the Collector of South Kanara (with his D. Dis. 4445-35)

14/2 6/2/39. 20/2/39

Ref. A5-8485-38

South Kanara Collector's Office,
Mangalore, dated 8th March 1939.

From

Sri Diwan Bahadur M.V.Vellodi, B.A.,
Collector of South Kanara

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Allowances - Tasdik - (South Kanara) - Udipi Taluk - Nalkur village - Institution No. 686 - Marali Vinayaka Dev - Readmission and payment of arrears -further report -submitted.

Ref: Board's Ref.I-No.143/39-1 dated 20-2-1939.

The last payment of the allowance was in 1925 and the petitioners have applied for the payment of the arrears due from 1926. The records of enquiry show that the services in the Temple were being performed by one Puttaya Kalkura for some time after the death of the former trustee and that he left the village after 1932. The petitioners came to be appointed as trustees in 1934 and the reconstruction of the building of the institution was taken up in 1935. There is no definite information that the services were performed without interruption after the death of the former trustee till the petitioners took up the management. It has also not been shown that the failure to apply for payment of the arrears before 1935 was due to disability and not due to neglect. As the petitioners were not in charge of the institution before 1934 they are not entitled to the arrears due for the period prior to their appointment.

2. This office file D.Dis. 4445-35 dated 12-11-35 is resubmitted.

For Collector.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..	31/3/39	
When signed ..		
When despatched.		

SUBJECT:— Allowances – Jasdik – (South Kanara, Udipi Tk. – Nalkur Vge. – Institution No. 686 – Marali Vinayaka Dev – Readmission and payment of arrears – ~~orders passed~~ Sanctioned.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

2 c·f No. J. 143 From the Collector of South Kanara Ref. A5 No. 8485-38 dated 5-1- 1939.
4 c·f " _____ " Board's Ref. J. 143/39-1 " 20-2- 1939.
c·f. " J. 1801 " Collector of S. Kanara Ref. A5-8485-38 " 8-3- 1939.

~~Order~~ / Resolution ~~Ms. Rout.~~ No. 918, dated 31-3- 1939.

The Board accepts the Collector's recommendation and sanctions the readmission of the institution and the payment of arrears of allowances from Fasli 1345

Issue to 30

AR 28/3 Gen 28/3/39. 30/3/39

Collector of South Kanara
R. D. Dis. 4445-35 dated 12-11-35 returned.

Note file

(M.1)

A.S (Sett.)

Allowances - Tasdik - (South Kanara) - Vidyu
Tk. - Nalkur Vge. - Institution No. 686 - Marali
Vinayaka Dev - Readmission and payment
of arrears.

issued under] f-1-C-f Read D. 143 from the Collector of South Kanara dated 5-1-39

To A.S (Sett.)

The annual tasdik allowance of Rs. 32 due to the institution No. 686 Marali Vinayaka Dev of Nalkur Vge. was not claimed from fasli 1335 as no trustees were appointed after the death of the previous trustee. The new trustees who were appointed by the H.R.E Board applied for the payment of the arrears of allowance. The claim was rejected by the Collector as the institution was reported to be in disrepair and the allowance struck off the registers under B.S.O. No. 67-I(7). It was however pointed out in the order of (recommending to the Board the) question of readmission that the question of readmission would be reconsidered after the building was restored to a good condition

O.I.No. 2065 Revised 9-10-29 not printed

- from 2-H-3-C-f-f (M)

& B.S.O. Vol. II

2. As the trustees have since rebuilt the institution and apply for readmission and payment of the allowance, the Collector recommends that the institution may be readmitted and the arrears ordered to be paid from fasli 1345.

3. Under B.S.O. No. 67-I(7) the Board may readmit f
-aims to lapsed allowances only if the failure
apply therefor when they were due arose out f
-rom disability and the arrears are payable
-ly if the institution was in good order
-the services properly rendered during
-period for which they were left undrawn
-ra 7 of the R. D's report at p. 10 of Collector's file
(No. 4445-35 dated 15-11-35)
-dis) shows that the failure to claim the
-lowance arose from disability. The Collecto
reports that the services are being regularly
performed. The Collector recommends the
-admission of the institution and the
-ayment of arrears of taxolik allowance
-rom fasli 1345.

For orders.

6/12/39 Clause 7(ii) of para I of B.S.O. 67 lays down
that arrears shd be paid only if the institution
was in good order & the services properly rendered
during the period for which the allowance was left
undrawn. The Colr recommends payment of arrears
-om F. 1345 but, beyond saying that services are regu
-larly performed, has nothing to say about the condit
-on clause 7(ii) being satisfied. The Tahs's report dt 7.11.3
-ld indicate that the part of the temple where worship
performed was in disrepair and had to be pulled
down and rebuilt in 1935. The Collr may be asked to
attention drawn
clause 7(ii) and he may be asked to state i) from which

year the petns have applied for payment of arrears, from which year the condition in clause 7 (ii) is sat and 2) if there has been uninterrupted service, why arrears shd not be given from an earlier year than fasli 1345. His attention may, in this connection, be invited to their pets in his D. Dis 4445-35 which may be retd to him for refee and return.

11/2/39

A.S (Sett.)

To A.S (Sett.)

Draft submitted.

14/2 20/2/39.

pp 3-4 c.f
p. 5 c.f

Issued as Board's Ref. I. 143/39-1 dated 20-2-39
Read I. 1301 from the Collector ~ North Kanara

12.11.35 (M)

M1.

A.S (Sett.)

To A.S (Sett.)

p. 5 c.f

The Collector has reported on the points raised in the Board's Ref. at pp. 3-4 c.f. In the circumstances his recommendation may be accepted and sanction may be accorded for the readmission of the institution and the payment of arrears of allowances from fasli 1345

this may be appd

For orders.

21/3 23/3/39.

Please fort up a consolidated note

25/3/39

27/3

M-1

SECY. 27 MAR 1939

Single Member M.1

~~Two~~ Members.

~~Full Board~~.

D.P.No. 918 Mis

Dated. 31-3-39

I.A	A.D.S. & L.R.	Land Rev.	Asst. Secy. Sett.	Sep. Rev.	J.S.	Secy.	M. 3	M. 2	M 1

(1) Open file ~~seen~~ by seen

(2) Final draft seen by.

(3) Now circulated to

(4) Initials.

✓ ae 13/4

Passed for record.

Secretary
Joint Secretary.

~~A.S. (C.W.)~~

~~A.S. (L.R.)~~

A.S. (Sett.)

~~A.S. (Excise)~~ 13/4M

A.D.S. & L.R.

~~I.A.~~

Note- Entries not required to be scored out.